

Cancel claims 7 and 8.

Cancel claims 9-13 without prejudice to their being presented in a divisional application.

REMARKS

By this response, the non-elected claims 9-13 have been canceled without prejudice to their being the subject of a divisional application. Additionally, the rejected claims 7 and 8 have been canceled. Thus, only claims 1 and 3-5 remain pending.

Claims 1, 4 and 5 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Patent 5,171,248 - Ellis. In applying this reference, the Examiner states that Ellis discloses a handle, a rod 12 and fins 72 projecting in opposite directions. The intended use of applicant's claimed device has been deemed not to structurally distinguish the claim over the applied reference.

Applicant respectfully requests that the Examiner reconsider and withdraw the rejection based on the Ellis patent, particularly in light of a further amendment made to main claim 1 which now more clearly defines a feature of applicant's invention not disclosed or suggested by Ellis.

The elements 72 of Ellis which the Examiner refers to as fins are tips of caliper arms 32, 34 which are pivotally secured within the end 22 of sleeve by a pin 74 which passes through a hole 76 in the sleeve and through pivot holes 62 in the arms (Figs. 4 and 5). The arms 32 and 34 are provided with longitudinally extending curved slots 38 and 40 within which a pin 36 is placed, the pin being located at the end of a rod 28 which is longitudinally movable within a sleeve 12. As rod 28 is displaced relative to the sleeve, the arms 32 and 34 are increasingly pivoted about pin 74 so as to move from a position within the sleeve (Fig. 1) to an extended position (Fig. 3) in which the arms 32 and 34, and their associated tips 72,